

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**GANART TECHNOLOGIES, INC.,**

**Plaintiff,**

**v.**

**TURNKEY KIOSKS, LLC,**

**Defendants.**

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**Civil Action No. 3:14-CV-00616-BF**

**DECLARATION OF JORDAN KELLEY FOR ROBOCOIN TECHNOLOGIES, LLC**

My name is Jordan Kelley. I am over 18 years of age, of sound mind, and am otherwise fully competent to make this declaration. The facts stated in this declaration are within my personal knowledge and are true and correct.

1. I am the Chief Executive Officer (“CEO”) of Robocoin Technologies LLC (“Robocoin”).

2. Robocoin acknowledges that it received a demonstration from TurnKey Kiosks, LLC (“TurnKey”) of the operation of a prototype Ganart kiosk on or about September 5 or 6, 2013. Jordan Kelley and John Russell were present for the demonstration. Robocoin is not aware, however, of receiving a demonstration of a Self-Service Registration at Kiosk process that would constitute a trade secret of Ganart Technologies, Inc. (“Ganart”). In fact, TurnKey did not identify any part of the kiosk or process of

operating the kiosk as having originated with Ganart. Rather, TurnKey presented the prototype as an example of the kind of product that TurnKey could manufacture. This was the only prototype demonstration that Robocoin received from TurnKey.

3. Robocoin acknowledges that it obtained a prototype kiosk from TurnKey and that the prototype kiosk was later shown in Vancouver, Canada. The prototype shown in Vancouver, Canada, appeared to have the same palm vein scanner as the prototype kiosk previously demonstrated by TurnKey to Robocoin. Robocoin, however, did not manufacture the prototypes and cannot be certain that the palm vein scanners were the same.

4. When Robocoin was shown the prototype kiosk by TurnKey and later received the prototype kiosk from TurnKey that was shown in Vancouver, Canada, Robocoin was not told and did not know that Ganart claimed any confidentiality or trade secret rights with regard to any part of that prototype.

5. Robocoin has not knowingly received any confidential and proprietary information of Ganart through TurnKey. In fact, Robocoin does not know what constitutes the “AML compliant Self-Service Registration at Kiosk process” that Ganart now claims is a confidential trade secret.

6. To the best of Robocoin’s knowledge, it has not received any confidential or proprietary Application Programming Interface ("API") of Ganart for the devices installed on the kiosks Robocoin has purchased from TurnKey. Further, Robocoin did not receive or have access to any computer code from TurnKey or Ganart. Rather, Robocoin has independently developed all of its own, proprietary software.

7. Robocoin does not know what constitutes the “Money Earned” product that Ganart claims is a trade secret; to the best of Robocoin’s knowledge, it has not received a demonstration of such Money Earned product; and Robocoin has not received financial data, analysis, pricing, and related information about the Ganart Money Earned product.

8. To the best of Robocoin’s knowledge, Robocoin is not using any of Ganart’s confidential or proprietary information or processes, Robocoin does not intend to use any such information or processes, and Robocoin will discontinue any inadvertent use of such information or processes upon reasonable notice of such use.

9. Robocoin was in the process of developing its own procedures for compliance with U.S. anti-money laundering (AML) laws and regulations prior to receiving any demonstration from TurnKey, and Robocoin has independently developed its current processes that incorporate and use Fujitsu biometric scanners. For example, the email attached hereto as Exhibit “A” relates a discussion between John Russell, the Chief Technology Officer of Robocoin, and TurnKey employees in May of 2013 regarding Robocoin’s interest in AML compliance and refers to the possible use of the Fujitsu palm scanner.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 10 day of September 2014.



JORDAN KELLEY

# **EXHIBIT A**



John Russell &lt;johnrussells@gmail.com&gt;

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**Quick question**

4 messages

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**John Russell** <johnrussells@gmail.com>  
To: Gary Strachan <gary@turnkeykiosks.com>

Fri, May 31, 2013 at 12:15 PM

Hi Gary,

I was going to ask you this with our phone call this afternoon but I need to know if the kiosks are capable of having a fingerprint scanner - I noticed there was a slot on the unit that appears to be able to support one. This could be a critical feature we are seriously considering in getting these machines more compliant with AML and KYC regulations for owners.

Is this something that is possible?

John

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**Gary Strachan** <gary@turnkeykiosks.com>  
To: John Russell <johnrussells@gmail.com>  
Cc: kstrachan@turnkeykiosks.com, Casey Strachan <cstrachan@turnkeykiosks.com>

Fri, May 31, 2013 at 12:30 PM

Yes, we have a spot for one, its right beside the encrypted pinpad. The one we use is a Identix/Morphotrust DFR-500 It might be called a BioTouch 500 now. The company has been bought and changed hands 3 times in the last year and a half, so the names of the products are all over the place. It started out as L1ID, who is the leader in fingerprint scanners for government and law enforcement.

I am not sure about AML or KYC. I know that this reader can scan to the FBI spec's. I would think that AML and KYC are more a function of the databases that you compare the fingerprint to rather than the scanner hardware.

But, if this unit does not meet the spec you need, we can easily change to whatever you specify for us to use. Not a problem at all. Just let us know.

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**From:** John Russell [mailto:[johnrussells@gmail.com](mailto:johnrussells@gmail.com)]  
**Sent:** Friday, May 31, 2013 12:16 PM  
**To:** Gary Strachan  
**Subject:** Quick question

[Quoted text hidden]

No virus found in this message.

Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 2013.0.3343 / Virus Database: 3184/6371 - Release Date: 05/31/13

**biotouch\_500.pdf**  
145K

Gary Strachan <gary@turnkeykiosks.com>

Fri, May 31, 2013 at 12:45 PM

To: John Russell <johnrussells@gmail.com>

Cc: Casey Strachan <cstrachan@turnkeykiosks.com>, kstrachan@turnkeykiosks.com

John, I forgot to add, that the blanking plate is easily removable and you could put the DFR 500 in the kiosk if you want, Just let us know and we could send you the parts.

Another question, is your plan to check a users fingerprint against a know fingerprint database or to capture a fingerprint and associate it with a transaction so there is a record?

Depending on what you are doing, there is another scanner that is available. If you just want to record a biometric scan and then attach it to a transaction, you could use a palm vein scanner instead. We also support this device as well.

The reason you might want to use a palm vein scanner, is that if your potential customers were a bit paranoid that 'big brother' might want to gather up all the fingerprint scans that you have captured for transactions and then compare them to some kind of government database to look for felons, they might not like this. If you were to use palm vein scanning, you get the same unique biometric scan, but there is no government big brother database to compare palm vein scans with. Just a thought on this for you to consider.

Another fact is that with palm vein scanners, they are designed so that you must have blood going through the veins (in other words, you must be alive) in order for them to work properly and with a fingerprint scanner, the finger does not have to be attached to the owners body to work. Kind of gruesome, but some history for you....

We can talk about this on our call.

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**From:** Gary Strachan [mailto:gary@turnkeykiosks.com]

**Sent:** Friday, May 31, 2013 12:31 PM

**To:** 'John Russell'

**Cc:** 'kstrachan@turnkeykiosks.com'; 'Casey Strachan'

**Subject:** RE: Quick question

[Quoted text hidden]



**palmsecureSSO\_datasheet.pdf**

286K

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**John Russell** <johnrussells@gmail.com>

Fri, May 31, 2013 at 12:50 PM

To: Gary Strachan <gary@turnkeykiosks.com>

Cc: Casey Strachan <cstrachan@turnkeykiosks.com>, kstrachan@turnkeykiosks.com, Dominic <Dominic@firepacket.net>

That's incredible, and the latter use case is exactly what we are thinking about. See, there are hard daily limits on how much an unverified participant can withdraw from a money services business, and the point of a biometric scan would be to give kiosk operators the ability to limit user's daily withdraw and deposit amounts. We have no intention of hooking up to a fingerprint database - it is merely an effort to create an anonymous way to enforce

9/10/2014

Gmail - Quick question

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daily limits per person. As a result, I think this palm scanner is precisely what we are looking for.

We'll talk more about this soon.

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